



WASHOE COUNTY

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DA DWV
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HR _____
Grant Mgt. GE

STAFF REPORT

BOARD MEETING DATE: October 14, 2014

DATE: September 10, 2014
TO: Board of County Commissioners
FROM: Sheila Leslie, Specialty Courts Manager
(775) 328-3569, sheila.leslie@washoecourts.us
THROUGH: Joey Orduna Hastings, District Court Administrator and Clerk of Court
(775) 328-3119, joey.hastings@washoecourts.us
SUBJECT: Request the Board of County Commissioners retroactively acknowledge the agreement to accept a direct grant award from the Office of Traffic Safety for \$25,000 (\$25,000 in-kind match required) for one year beginning October 1, 2014 to September 30, 2015 and authorize the Comptroller's Office to make necessary budget adjustments. (All Commission Districts)

SUMMARY

The Court has received funding from the Office of Traffic Safety since 2008. The current Project Agreement is for \$25,000 to maintain the minimum funding necessary to support the Coordinator position for the Felony DUI Court.

County Priority/Goal supported by this item: Improve public safety, security, and health – support clean and safe Neighborhood Communities.

PREVIOUS ACTION

The Board of County Commissioners has approved the acceptance of three previous grants of \$100,000 each and two previous grants of \$35,000, and one previous grant received for fiscal year 2014 of \$29,000 from the Office of Traffic Safety for this purpose.

BACKGROUND

The Felony DUI Court complies with statutory provisions and minimum program requirements for each defendant as follows:

- an evaluation to determine the nature and extent of the addiction and the formulation of a treatment plan;
- a minimum of six months of house arrest upon enrollment;

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- a minimum of one individual session and one group counseling session each week;
- a minimum of weekly Alcohol Anonymous meetings;
- installation of a Breath Ignition Interlock Device on any vehicle which a defendant owns or operates or the installation of a “Club” device which prohibits the vehicle from being driven;
- regular status checks with Court staff;
- regular court appearances;
- three years of participation in the program.

Senate Bill 277 authorizes the Court to order a third-time offender of driving under the influence (DUI) to a treatment program for a minimum of three years based on a report from a counselor or physician who diagnoses a drug or alcohol problem. If the Court orders the offender to a treatment program, it must suspend further proceedings and place the offender on probation upon condition that the treatment program is complete.

If the program is successfully completed, the conviction is reduced to a second-offense violation, a misdemeanor. However, for purposes of additional penalties imposed for subsequent DUI offenses, the offense will count as a third offense. If the program is not successfully completed or the offender is not accepted for treatment, the sentence must be served. However, the Court has the discretion to reduce the sentence of imprisonment for the time served.

Defendants are responsible for all program costs including treatment, house arrest fees, the Breath Ignition Interlock Device and program fees. The statute specifically states that eligible offenders “must agree to pay the costs of the treatment to the extent of his financial resources.”

GRANT AWARD SUMMARY

Project/Program Name: Felony DUI Program/Office of Traffic and Safety

Scope of the Project:

- an evaluation to determine the nature and extent of the addiction and the formulation of a treatment plan;
- a minimum of six months of house arrest upon enrollment;
- a minimum of one individual session and one group counseling session each week;
- a minimum of weekly Alcohol Anonymous meetings;
- installation of a Breath Ignition Interlock Device on any vehicle which a defendant owns or operates or the installation of a “Club” device which prohibits the vehicle from being driven;
- regular status checks with Court staff;
- regular court appearances;

- three years of participation in the program.

Benefit to Washoe County Residents: County Priority/Goal supported by this item: Improve public safety, security, and health – support clean and safe Neighborhood Communities.

On-Going Program Support: *N/A*

Award Amount: \$25,000

Grant Period: October 1, 2014 to September 30, 2015

Funding Source: Office of Traffic Safety

Pass through From: Not applicable

CFDA Number: 20.616

Grant ID Number: 23-AL-6

Match Amount and Type: \$25,000 In-kind

FISCAL IMPACT

Should the board accept this grant award and approve these amendments, the adopted budget will be increased by \$25,000 in both revenues and expenditures in the following accounts:

Cost Object	G/L Account	Amount
11121	431100	\$25,000
11121	701110	\$25,000

Increase Revenues:

11121-431100 – Federal Grants \$ 25,000

Increase Expenditures:

11121-71110 – Salaries and Wages \$ 25,000

There is an in-kind match requirement of \$25,000 which is met with existing funding in the District Court's budget.

RECOMMENDATION

It is recommended that the Board of County Commissioners retroactively acknowledge the agreement to accept a direct grant award from the Office of Traffic Safety for \$25,000

(\$25,000 in-kind match required) for one year beginning October 1, 2014 to September 30, 2015 and authorize the Comptroller's Office to make necessary budget adjustments.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be to retroactively acknowledge the agreement to accept a direct grant award from the Office of Traffic Safety for \$25,000 (\$25,000 in-kind match required) for one year beginning October 1, 2014 to September 30, 2015 and authorize the Comptroller's Office to make necessary budget adjustments.

cc: Honorable David Hardy, Chief Judge, Second Judicial District Court
Kevin Schiller, Assistant County Manager
Kim Carlson, Senior Fiscal Analyst
Paul McArthur, Comptroller
Gabrielle Enfield, Grants Manager